

Repeals and Amendments (Bombay). [ACT IV

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing ;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed, recognized or derived by, in or from any enactment hereby repealed ;

nor shall the repeal by this Act of any enactment provide or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

THE FIRST SCHEDULE.

ENACTMENTS REPEALED.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.

Part I.—Regulations of the Bombay Code.

1827	V	Acknowledgment of debts ; interest ; mortgages.	Appendix B.
"	XII	Police . . .	Appendix E.
"	XIII	Criminal Courts .	Appendices A, B, D, E, F, G, H, I, J, K, L, M and N.
"	XX	Customs and Duties .	So much as has not been repealed.

1894] *Repeals and Amendments (Bombay).*

THE FIRST SCHEDULE—*contd.*

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.

Part I.—Regulations of the Bombay Code—concl'd.

1827	XXI	Duty on Opium and Spirits.	So much as has not been repealed.
"	XXIX	Dekkhan and Khandedh.	In section 2, clause first, <i>the words and figures</i> with the exception of Regulation XVIII and of any enactments relating to stamps.
1834	I	Deputy Agent for Sardars in Dekkhan.	In the title, <i>the words and figures</i> and for rescinding Regulation V of 1828 which defines the duties and jurisdiction of that office. In the preamble, <i>the words</i> to have effect from the date of promulgation.

Part II.—Rules, Ordinances and Regulations relating to the Town and Island of Bombay.

1825	II	Repealing in part Rule, Ordinance and Regulation I of 1812.	The whole.
1827	I	Repealing in part Rule, Ordinance and Regulation I of 1814.	The whole.
1828	I	Preventing goods from being left on quays.	The whole.
1834	I	Repealing in part Rule, Ordinance and Regulation II of 1827.	So much as has not been repealed.

Part III.

Repeals and Amendments (Bombay). [ACT IV

THE FIRST SCHEDULE—*concl'd.*

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
<i>Part III.—Acts of the Governor General in Council.</i>			
1836	VII	Authority of certain Regulations.	So much as has not been repealed.
1852	XI	Titles to rent-free estates.	In the preamble, <i>the words and figures</i> and incapable of being justly disposed of under the rules for the determination of titles and the rules of procedure contained in Chapters IX and X of Regulation XVII of 1827 of the Bombay Code and their supplements. So much of section 1 as has not been repealed. In section 2, <i>the words</i> the said.
1874	XV	Laws Local Extent Act, 1874.	Section 8, clause (i).
1875	VI	Loan to Sir Jamsetjee Jeejeebhoy.	The whole.
1876	X	Bombay Revenue Jurisdiction Act, 1876.	In the preamble, <i>the words and figures</i> and to provide for the recovery by the Local Government of advances made for purposes other than those specified in section three of the Land Improvement Act, 1871.
1877	XIV	Broach and Kaira Incumbered Estates Act, 1877.	In section 39, <i>the word</i> And <i>where it first occurs; and the word</i> further. In section 41, clause (b), <i>the words</i> the said.
1878	I	Opium Act, 1878	The third paragraph of section 2.
1884	XI	Sindh Incumbered Estates Act, 1884.	Section 8. Section 9.

Part I.

1894.] *Repeals and Amendments (Bombay).*

THE SECOND SCHEDULE.

ENACTMENTS AMENDED.

1	2	3	4
Year.	No.	Subject or title.	Amendment.
<i>Part I.—Regulation of the Bombay Code. *</i>			
1830	XIII	Jurisdiction of Jagirdars, etc.	In section 3, clause third, <i>after</i> open to <i>insert</i> appeal to.
<i>Part II.—Act of the Governor General in Council.</i>			
1839	XX	Levy of baqq, etc.	In section 3, <i>for</i> shall be punishable as for an undue exaction under Regulation XVII of 1827, section XVI, of the Bombay Code, notwithstanding the offender be not a Revenue Officer of Government <i>read</i> shall, whether he is or is not a Revenue Officer of Government, be punishable with imprisonment for a term which may extend to seven years, and shall also be liable to fine not exceeding ten times the amount of the sum so levied.

ACT No. XVI OF 1895.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 10th October, 1895.)

An Act to repeal certain obsolete Enactments and to amend certain other Enactments.

WHEREAS it is expedient that certain enactments specified in the first schedule to this Act, which are spent, or have ceased to be in force otherwise than by express, specific repeal, or have by lapse of time or otherwise become unnecessary, should be expressly and specifically repealed;

And whereas it is also expedient that certain formal amendments should be made in the enactments specified in the second schedule to this Act:

It is hereby enacted as follows:—

1. (1) This Act may be called the Repealing and Amending Act, 1895. Title, extent and commencement.

(2) It extends to the whole of the territories administered by the Governor of Bombay in Council; and

(3) It shall come into force at once.

2. (1) The enactments specified in the first schedule are hereby repealed to the extent mentioned in the fourth column thereof. Enactments in first and second schedules repealed and amended respectively.

(2) The enactments specified in the second schedule shall be modified to the extent and in the manner mentioned in the fourth column thereof.

3. The repeal by this Act of any enactment shall not affect any Statute, Act or Regulation in which such enactment has been applied, incorporated or referred to; Savings.

and

[Price three annas and nine pies.]

and this Act shall not affect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title, obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt,^{*} penalty, obligation, liability, claim or demand, or any indemnity already granted, or the proof of any past act or thing ;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing usage, custom, privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed by, recognized in or derived from any enactment hereby repealed ;

nor shall the repeal by this Act of any enactment provide or restore any jurisdiction, office, custom, liability, right, title, privilege, restriction, exemption, usage, practice, procedure or other matter or thing not now existing or in force.

THE FIRST SCHEDULE.

ENACTMENTS REPEALED.

A description or citation of a portion of an Act or Regulation includes the words, section or other part mentioned or referred to as forming the beginning or as forming the end of the portion comprised in such description or citation.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.

Part I.—Acts of the Governor General in Council.

1860	XLVIII	Police, Bombay Town	In section 7, <i>the words from and, if the offender to the end of the section.</i> Section 27.
1876	X	Bombay Revenue Jurisdiction Act, 1876.	Section 1, clause (c).
"	XX	Bhaunagar Act, 1876	Section 3.
1879	XVII	Dekkhan Agriculturists' Relief Act, 1879.	In section 3, clause (a), <i>the words and figures on or after the first day of November, 1879.</i> In clause (b), of the same section, <i>the words and instituted on or after the same date.</i> In section 5, <i>the words and figures from and any such jurisdiction to the end of the section.</i>
1881	XXIII	Dekkhan Agriculturists' Relief Act, 1881.	Sections 6 and 8.
1882	XXII	Dekkhan Agriculturists' Relief Act, 1882.	Sections 3, 7, 11 and 12. In section 14, <i>the word and figures and 52.</i>
1886	XXIII	Dekkhan Agriculturists' Relief Act, 1886.	Section 4.
1889	XIV	Indemnity to certain witnesses.	The whole.

Part II.—Acts of the Governor of Bombay in Council.

1863	II	Exemptions from land-revenue.	In section 11, clause First, <i>the words of the same.</i> Section 12.
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THE FIRST SCHEDULE—continued.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.
1863	III	Satara, etc.	In the title, <i>the words from certain lands to taluka Kundapur.</i> In the preamble, <i>the words and figures from and whereas lands to it is expedient that the district so transferred should be brought under the Regulations and Acts of the Presidency of Bombay.</i> Section 4, clause <i>Second</i> .
1865	III	Wagers	Section 4.
1866	I	Extending Bombay Act I of 1865 to Sind.	The whole.
"	VIII	Sale of Poisons . . .	In sections 3, 4 and 13, <i>the word the where it occurs before the word Schedule.</i>
"	XII	Sind Courts	Sections 13 and 14.
"	XIV	Edulabad and Warangaon	In section 3, <i>the words and figures from as amended to Bombay.</i>
1871	II	Duties on non-agriculturists.	So much as has not been repealed.
1872	II	Repayment of loan to Bombay Corporation.	So much as has not been repealed.
1873	VI	Bombay District Municipal Act.	In the heading to Part VIII, <i>the word Appeals.</i> Section 21, clause (4).
1874	III	Bombay Hereditary Offices Act.	In section 77, <i>the word Revenue.</i> Section 14, clause (2). Section 15, clause (2).
1875	III	Tolls on Roads and Bridges.	Section 2. In section 3, <i>the words from Until such rates to this Act.</i>
1876	III	Mamlatdars' Courts Act, 1876.	In section 3, clause (1), <i>the words and figures from or who to the end.</i>

THE FIRST SCHEDULE—continued.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.

Part II.—Acts of the Governor of Bombay in Council—continued.

1877	I	Bombay Vaccination Act, 1877.	In section 7, <i>the word and at the end of the second paragraph, and the whole of the third paragraph.</i>
1878	V	Bombay Abkari Act, 1878	Section 2 and the schedule. In section 3, clause (9), <i>the word Indian.</i> Sections 64, 65 and 66.
1879	IV	Karachi Vaccination Act, 1879.	In section 7, <i>the word and at the end of the second paragraph, and the whole of the third paragraph.</i>
"	V	Bombay Land-revenue Code, 1879.	In section 1, the last two sentences. The fourth paragraph of section 4, and the third paragraph of section 7. In sections 8 and 11, <i>the words of the district, and in section 10 the words of a district.</i> In section 12, the last sentence. In section 14, the last sentence. In section 17, <i>the words from and, pending to required to keep.</i> In section 22, the last sentence. In section 132, the last sentence. Schedule A, so far as it relates to Bombay Act I of 1866.
"	VII	Bombay Irrigation Act, 1879.	Section 33.
1880	III	Repealing certain sections of Bombay Act VII of 1879.	The whole.
1882	I	Repealing Bombay Act VII of 1878.	The whole.
"	VII	Bombay Landing and Wharfage Fees Act, 1882.	In section 4, <i>the words the Commissioner in Sind, the Political Resident at Aden and.</i> Section 11.
1883	V	Bombay Public Authorities' Seals Act, 1883.	In the preamble, <i>the words and figures from to extend to so as, and the words other and besides Magistrates.</i> In section 3, <i>the words Courts and other.</i>

THE FIRST SCHEDULE—*continued.*

1.	2.	3.	4.
Year.	No.	Subject or title.	Extent of repeal.
<i>Part II.—Acts of the Governor of Bombay in Council—continued.</i>			
1884	I	Bombay Local Boards Act, 1884.	In section 41, clause (d), <i>the words and figures</i> or by order of the Governor in Council under section 42.
	II	Bombay District Municipal Act Amendment Act, 1884.	The second proviso to section 3.
1885		Legalizing the payment by the Trustees of the Port of Bombay of certain arrears of interest due to the Government.	The whole.
"	IV	Amendment of Bombay Acts I (Local Boards) and II (District Municipalities) of 1884.	Sections 2 and 4.
1886		Bombay General Clauses Act, 1886.	Section 2, first paragraph. In section 3, clause (5), <i>the words</i> other than the Settlement of Prince of Wales' Island, Singapore and Malacca. So much of Schedule A as has not been repealed. So much of Schedule B as relates to Bombay Acts I of 1862, V of 1862, VI of 1862, I of 1863, III of 1863, V of 1863, VI of 1863, VII of 1866, VIII of 1866, XII of 1866, XIII of 1866, VI of 1867, II of 1868, III of 1869, II of 1871, I of 1872, VI of 1873, I of 1874, II of 1874, III of 1874, III of 1875, II of 1876, III of 1876, I of 1877, IV of 1879, V of 1879, VI of 1879, VII of 1879, I of 1880, I of 1883, II of 1883, I of 1884 and II of 1884.
1886	V	Hereditary Offices (amending Bombay Act III of 1874).	Section 4.
1887	IV	Bombay Prevention of Gambling Act, 1887.	Section 2 and the schedule.

THE FIRST SCHEDULE—continued.

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.

Part II.—Acts of the Governor of Bombay in Council—continued.

1888	I	Amendment of Bombay Acts I (Local Boards) and II (District Municipalities) of 1884.	Section 2.
	III	City of Bombay Municipal Act, 1888.	<p>In section 5, <i>the words and figures</i> On and after the first day of April, 1889.</p> <p>Section 6, sub-section (1).</p> <p>In section 19, sub-section (1), <i>the words and figures</i> On or before the first day of October, 1888, and; <i>also the word</i> thereafter.</p> <p>Section 22, sub-section (2).</p> <p>In section 34, in sub-section (1), <i>the words</i> not being one of the first general elections held in accordance with this Act, and, in sub-section (2) <i>the words</i> of a first general election held in accordance with this Act, or.</p> <p>In section 35, the whole of sub-section (1) and the first word of sub-section (2).</p> <p>In section 39, in sub-section (2), the first sentence, <i>and the words</i> then or thereafter; and, in sub-section (3), the first sentence <i>and the word</i> thereafter.</p> <p>In section 79, sub-section (1), <i>the words</i> as soon as may be after this Act comes into force, and afterwards.</p> <p>The whole of Schedule E except section 7 thereof.</p>
	IV	City of Bombay Municipal Act Amendment Act, 1888.	Section 7.
	V	Aden Port Trust Act, 1888	<p>Section 9.</p> <p>In section 19, <i>the words from</i> Until a schedule to directed under this Act.</p> <p>In section 25, sub-section (1), <i>the words and figure</i> upon and after the date notified by the Governor in Council under section 9.</p> <p>In sections 37 and 39, <i>the words</i> after the date on which this Act comes into force.</p>

THE FIRST SCHEDULE—*continued.*

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.

Part II.—Acts of the Governor of Bombay in Council—concluded.

1888	V <i>—contd.</i>		In section 40, sub-section (3), <i>the figures</i> 1881. Section 40, sub-section (4). Section 81.
"	VI	Gujarat Taluqdars Act, 1888.	Section 3.
1890	II	Bombay Salt Act, 1890	In section 1, sub-section (2), <i>the words from but to</i> in this behalf. Section 9.
"	IV	Bombay District Police Act, 1890.	In section 2, first paragraph, the last fifteen words. Section 82.
1891	I	Amendment of the Bombay General Clauses Act, 1886.	Section 1.
"	II	Bombay Boiler Inspection Act, 1891.	In section 23, clause (c), <i>the words to the inspector.</i>
1892	I	Bombay District Vaccination Act, 1892.	Section 33, sub-section (2).

Part III.—Regulations of the Bombay Code.

1827	II	Pleaders . . .	In section 50, clause Third, <i>the words and figures from</i> under the rules to Regulation. In section 51, clause Second, <i>the words</i> rules contained in the <i>and the words and figures</i> according to section 56 of this Regulation. In section 56, <i>the words and figures from</i> under the rules to Regulation.
1834	I	Abolition of office of Deputy Agent for Sardars in Dekkhan.	So much as has not been repealed.

1895.]

*Amending Act.*THE FIRST SCHEDULE—*concluded.*

1	2	3	4
Year.	No.	Subject or title.	Extent of repeal.

Part IV.—Regulations made under 33 Vict., c. 3.

1887	XI	Aden Pilgrims and Paupers Regulation, 1887.	Section 2, clause (1).
1892	III	Sind Frontier Regulation, 1892.	Section 2, sub-section (1).